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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,193	08/04/2003	Tsai-Ching Chen	CFP-1593-1 (15722/374CIP)	7071
23595	7590	03/10/2005	EXAMINER	
NIKOLAI & MERSEREAU, P.A. 900 SECOND AVENUE SOUTH SUITE 820 MINNEAPOLIS, MN 55402			TALBOT, MICHAEL	
			ART UNIT	PAPER NUMBER
			3722	

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/634,193	CHEN ET AL.	
	Examiner	Art Unit	
	Michael W Talbot	3722	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☒ Claim(s) 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

Refer to page 1, line 21, the character reference "chamber 13" should be changed to --chamber 11--.

Refer to page 5, line 3, the character reference "second end 31" should be changed to --second end 32--.

Appropriate correction is required.

Claim Objections

2. Claim 1 is objected to because of the following informalities:

Refer to line 1 of claim 1, the term "an annual groove" should be changed to --an annular groove--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3 and 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With regards claim 3, line 2, it is unclear as to the specific elastic element the claimed limitation is referring to as its limitation. For examination purposes, the phrase has been interpreted as "wherein the first elastic element is compressed between the ring and the annular rib".

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Claim 6 recites the limitation "the first ring" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,7 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Chen et al. '085. Chen et al. '085 shows in Figures 2-5 a chuck device having a socket (40) defining a chamber (42) for receiving a tool bit (80) and at least one aperture (48) communicating with chamber, a spindle (10) extending from socket, at least one ball (45) received in aperture for entering annular groove (82) of tool bit, a sleeve (60) including a chamber (61) and a annular groove (64) communicating with chamber for receiving the ball, a first elastic element (50) compressed between socket and sleeve, and a second elastic element (20,30) comprising a first section (30) which is denser than a second section (20) placed in the socket chamber for pushing the tool bit.

Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Chen et al. '085. Chen et al. '085 shows in the Prior Art Figures 11 and 12 a chuck device having a socket defining a chamber for receiving a tool bit (94) and at least one aperture communicating with chamber, a spindle extending from socket, at least one ball (92) received in aperture for entering annular groove (95) of tool bit, a sleeve (90) including a chamber and a annular groove (91) communicating with chamber for receiving the ball, a first elastic element (93) is compressed between a ring and the sleeve, the sleeve including an annular rib formed on an internal face wherein the first elastic element is compressed between the ring and the annular

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rib, and another ring fit in the sleeve for abutting the ring attached to the socket so as to retain the sleeve on the socket.

Claims 1-3,5,7 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Hasan '872. Hasan '872 shows in Figures 1A and 3 a chuck device (100) having a socket (110) defining a chamber (120) for receiving a tool bit (300) and at least two apertures (130) communicating with chamber, a spindle (10) extending from socket, at least one ball (170) received in each aperture for entering annular groove (330) of tool bit, a sleeve (180) including a chamber (col. 5, lines 10-13) and a annular groove communicating with chamber for receiving the balls, a first elastic element (360) compressed between socket and sleeve, and a second elastic element (400,420) comprising a first section (420) which is denser than a second section (400) placed in the socket chamber for pushing the tool bit. Hasan '872 further shows in Figures 14A and 14C a ring (186) attached to the socket wherein the first elastic element is compressed between the ring and the sleeve and an annular rib (250) formed on the internal face of the sleeve wherein the first elastic element is compressed between the ring and the annular rib (col. 4, lines 54-57).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. '085 in view of Rosanwo '989. Chen et al. '085 lacks the first ring received in an annular groove defined in the external surface of the socket being a C-ring. Rosanwo '989 shows in Figure 2 a snap ring (11) received in an annular groove defined in the external surface of the socket (5). In

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view of this teaching of Rosanwo '989, it is considered to have been obvious to replace the locking ring shown in Figures 11 and 12 of Chen et al. '085 with another well-known locking ring, i.e. a snap or c-ring, shown in Rosanwo '989.

Claims 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. '085 in view of Wang '384. Chen et al. '085 lacks a C-ring received in the socket annular groove for entering the annular groove of the tool bit. Wang '384 shows in Figures 2 and 4 a C-ring (2) received in an annular groove (11,110) of the socket (1) for entering the annular groove (82) of the tool bit (80). In view of this teaching of Wang '384, it is considered to have been obvious to replace the locking element of Chen et al. '085 with another well-known locking element shown in Wang '384. With regards to claim 13, Chen et al. '085 further shows in Figure 1 the socket having an internal face with six sides and six corners.

Claims 9-11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hasan '872 in view of Wang '384. Hasan '872 lacks a C-ring received in the socket annular groove for entering the annular groove of the tool bit. Wang '384 shows in Figures 2 and 4 a C-ring (2) received in an annular groove (11,110) of the socket (1) for entering the annular groove (82) of the tool bit (80). In view of this teaching of Wang '384, it is considered to have been obvious to replace the locking element of Chen et al. '085 with another well-known locking element shown in Wang '384. With regards to claim 13, Hasan '872 further shows in Figure 5D the socket having an internal face with six sides and six corners.

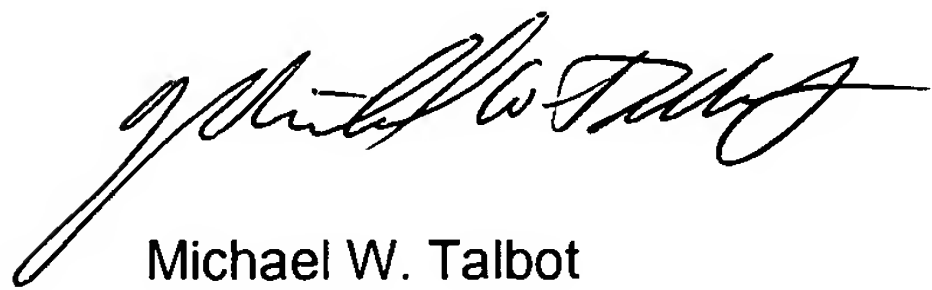
Allowable Subject Matter

6. Claim 14 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

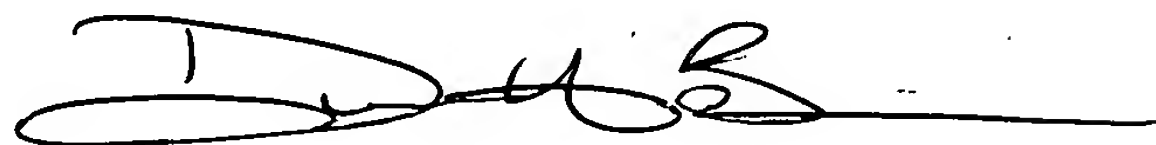
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7. Any inquiry concerning the content of this communication from the examiner should be directed to Michael W. Talbot, whose telephone number is 571-272-4481. The examiner's office hours are typically 8:30am until 5:00pm, Monday through Friday. The examiner's supervisor, Mr. Derris Banks, may be reached at 571-272-4419.

In order to reduce pendency and avoid potential delays, Group 3720 is encouraging FAXing of responses to Office Actions directly into the Group at FAX number 703-872-9306. This practice may be used for filing papers not requiring a fee. It may also be used for filing papers, which require a fee, by applicants who authorize charges to a USPTO deposit account. Please identify Examiner Michael W. Talbot of Art Unit 3722 at the top of your cover sheet.



Michael W. Talbot
Examiner
Art Unit 3722



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